

REMARKS

Claims 1-20 are pending.

Claims 1-20 are rejected.

Claim 1 is amended to claim that the beginning segment of a video presentation is transmitted in an unscrambled format (see Specification page 9, lines 14-20). The rest of the multimedia presentation which is recorded is then recorded as scrambled signal (see Specification page 10, lines 21-27). The rest of the multimedia presentation is then unscrambled either during the performance of step B or C of the claim (see Specification, page 10, lines 21-27). The time duration of the beginning segment is defined relative to the difference of time between the broadcast of a multimedia presentation over a first channel and a second channel (see Specification, page 8, lines 14-21 and in other places).

Claims 2-7 are amended to fix the language of the claims and to make such claims consistent with amended Claim 1.

Claim 11 is amended to claim that the beginning segment of a video presentation is transmitted in an unscrambled format (see Specification page 9, lines 14-20). The rest of the multimedia presentation which is recorded is then recorded as scrambled signal (see Specification page 10, lines 21-27). The rest of the multimedia presentation is then unscrambled either during the performance of step B or C of the claim (see Specification, page 10, lines 21-27). The time duration of the beginning segment is defined relative to the difference of time between the broadcast of a multimedia presentation over a first channel and a second channel (see Specification, page 8, lines 14-21 and in other places).

Claims 14 and 16 are amended to make such claims consistent with Claim 11.

Claim 19 is amended to claim that additional beginning segments are unscrambled, when recorded.

No new matter was added to the claims in view of these amendments.

I. Claim Objections

Applicant in view of the Examiner's comments has attempted to fix the stated claim objections.

II. 35 U.S.C. §102 Rejection of Claims 1-2, 4-7, 10-14, 16-17 and 20

The Examiner rejected Claims 1-2, 4-7, 10-14, 16-17, and 20 under 35 U.S.C. 102(b) as being unpatentable in view of the Inoue et al. reference (U.S. Patent # 5,990,881, hereafter referred to as 'Inoue'). Applicant disagrees with this ground of rejection.

In amended Claim 1, Applicant defines two different segments of a multimedia program as being a beginning segment and the rest of the multimedia program. The claim calls for the beginning segment to be received in unscrambled while the rest of the multimedia program (which is not the beginning segment) is received in a scrambled format.

The operation of Claim 1 will then unscrambled the rest of the multimedia program either when the rest of the multimedia program is either being recorded or is played back (in accordance with steps B or C of Claim 1). This aspect of scrambled and unscrambled programming is neither disclosed nor suggested in Inoue. Nor, is there indication in the reference as to what part of the multimedia program should be scrambled and which part is received unscrambled, and when such scrambled part of the multimedia program (the rest of the program) should be unscrambled.

The arguments recited above for Claim 1 also apply to Claim 11, as well.

Therefore for the reasons given above, Claims 1 and 11 are patentable over the cited art of record. In addition, Claims 2, 4-7, and 10 and Claims 12-14, 16-17, and 20 are patentable as such claims depend on allowable Claims 1 and 11.

III. 35 U.S.C. §103 Rejection of Claims 3 and 15

The Examiner rejected Claims 3 and 15 under 35 U.S.C. 103(a) as being unpatentable in view of the Inoue and in further view of Geer et al. (U.S. Patent # 6,788,882, hereafter referred to as 'Geer'). Applicant disagrees with this ground of rejection.

Applicant asserts that Claims 3 and 15 are patentable; as such claims depend on allowable Claims 1 and 11, respectively. Applicant requests that the Examiner remove the rejection to these claims.

IV. 35 U.S.C. §103 Rejection of Claims 8 and 18

The Examiner rejected Claims 8 and 18 under 35 U.S.C. 103(a) as being unpatentable in view of the Inoue and in further view of Farnsworth et al. (U.S. Patent # 6,101,368, hereafter referred to as Farnsworth). Applicant disagrees with this ground of rejection.

Claim 8 claims that further a step of "automatically pre-recording beginning segments upon initial activation of a multimedia system". The Examiner's cited combination of Inoue and Farnsworth teaches a method for a system that is capable of recording programming. There is however no disclosure in the cited combination (see Farnsworth col. 3, lines 16-30 and col. 4, line 1-17) however that:

1. What is recorded (as the cited to sections of Inoue and Farnsworth does not disclose what to disclose and what not to record).

2. When such a recording operation takes place (Farnsworth in combination with Inoue do not teach "automatically pre-recording beginning segments *upon initial activation of a multimedia system*" (emphasis added).

3. Applicant asserts that the teachings of Farnsworth are merely cumulative to what is taught in Inoue for having a recording device, the only difference is that said recording device may be an external recording device. This feature however has nothing to do with the elements of Claim 8.

Therefore for the reasons given above Claim 8 is patentable. Applicant also asserts that Claim 18 is patentable for the same reasons given for Claim 8. Applicant therefore requests the removal of the rejection to these claims.

V. 35 U.S.C. §103 Rejection of Claims 9 and 19

The Examiner rejected Claims 9 and 19 under 35 U.S.C. 103(a) as being unpatentable in view of the Inoue and in further view of Sciammarella. (U.S. Patent 6,281,940). Applicant disagrees with this ground of rejection.

Claim 9 claims "responsive to at least one of a user request and an automatic signal, periodically updating beginning segments with new beginning segments corresponding to subsequent multimedia presentations". This feature however is neither disclosed nor suggested in the combination of Inoue and Sciammarella. Specifically, when the Examiner cites to Sciammarella, the reference discloses the use of a jog dial to rotate between different channel previews that are shown on a display screen at the same time (Sciammarella, Figs. 7A-C and Figs. 8A-D). The display of preview channels which are all shown at the same time has nothing to do with the system of Inoue, where broadcasts are staggered by a certain time period across different channels.

That is, the two references teach two different things. Inoue teaches about staggering broadcasts over a variety of channels versus Sciammarella that has a variety of channel previews displayed at the same time which are switched through using a user interface (like a jog dial). Applicant asserts that the

combination of the Examiner does not disclose or suggest the claimed feature of Claim 9. Moreover, the cited combination of the Examiner does not follow as the two references are for systems that are unrelated to each other.

For the reasons listed above, Applicant asserts that Claim 9 is patentable. In addition, Applicant asserts that Claim 19 is patentable for the same reasons as Claim 9. Applicant requests the removal of the rejection to both of these claims.

Applicant requests a three-month extension under 37 C.F.R. 1.136(a) from for which this response was originally due. Please charge the fee for this extension, and any other fees owed in connection with this action to Deposit Account 07-0832.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application is in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,


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